

EXHIBIT 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 -----X
5 SHORELINE AVIATION, INC.,
6 Plaintiff,

7 -against-

Case No.
2:20-cv02161
JMA-SIL

8
9 CYNTHIA L. HERBST, SOUND AIRCRAFT
10 FLIGHT ENTERPRISES, INC., RYAN A.
11 PILLA, BLADE URBAN AIR MOBILITY,
12 INC., a/k/a FLY BLADE, INC., MELISSA
13 TOMKIEL, and ROBERT S. WIESENTHAL,
14

15 Defendants.
16
17 -----X
18

19 March 30, 2022
20 8:30 a.m.
21 Virtual Zoom
22

23 CONTINUED DEPOSITION of SHORELINE
24 AVIATION, INC., the Plaintiff herein, by ANDREA
25 COLLINGWOOD, taken by the Defendants, pursuant
to Rule 30(B)(6) of the Federal Rules of Civil
Procedure, and Notice, held at the
above-mentioned time and place, before Susan
Crane, a Notary Public of the State of New York.

1 A. Collingwood

2 specifically. They purchased coupon books, ten
3 coupon books so I assume each of them flew
4 approximately ten times throughout the course of
5 the summer.

6 Q Do you know how these persons came
7 to book on Blade?

8 A Yes. Cindy took the customer list
9 and sold it to Blade, and then she lied to these
10 customers about the relationship between
11 Shoreline and her and Blade.

12 Q Ms. Collingwood, what is that
13 based on?

14 A Based on Blade documents.

15 Q Do you know if these persons
16 booked on Blade before 2018?

17 A I would assume so just because if
18 they couldn't get on a Shoreline flight, they
19 may have taken Blade. They were our customers
20 for years and bought coupons from us for a
21 number of years.

22 Q So if they booked on Blade before
23 2018, Blade would have their customer
24 information, correct?

25 A It's possible.

1 A. Collingwood

2 Q It's my understanding that Blade
3 advertises heavily in the New York and Hamptons
4 area, correct?

5 A Yes, that's correct.

6 Q And many people try out Blade's
7 application, right?

8 A Yes.

9 Q And Blade offered a lot of
10 amenities that Shoreline didn't offer, right?

11 MR. KRIEGSMAN: Objection.

12 A Like? I'm not sure what you mean
13 by that.

14 Q All right. You are aware that if
15 Blade were to cancel a flight, it would arrange
16 for a Porsche to take someone from New York to
17 the Hamptons, correct?

18 A Yes.

19 Q You didn't offer that service I
20 take it?

21 A No, we didn't. We offer an
22 aircraft and mechanics and staff. And Blade is
23 an app, so they had all sorts of money to spend
24 on Porsches and we did not.

25 Q And Blade also offered a lounge,

1 A. Collingwood

2 right?

3 A Yes.

4 Q Where was that lounge located?

5 A It was located at the 23rd Street
6 Seaport.

7 Q I take it you do not offer a
8 lounge?

9 A We did for a period of time.

10 Q When did you stop offering a
11 lounge?

12 A When the company stopped
13 operating.

14 Q Between 2018 and 2019, did you
15 have a lounge at the 23rd Street Seaport in New
16 York City?

17 A We did in 2019. I don't remember
18 if we did in 2018.

19 Q How did your lounge compare to the
20 Blade lounge?

21 A We didn't serve cocktails to
22 people that were about to get on a seaplane.

23 Q Blade served cocktails to people I
24 take it?

25 A Yes.

1 A. Collingwood

2 Q Were there other amenities that
3 Blade offered that you didn't offer?

4 A I'm not sure what amenities they
5 offered.

6 Q Let's take John Berg. This is the
7 first person that you list here. Now, if I
8 understand your testimony, John Berg purchased a
9 Blade coupon book; is that right?

10 MR. KRIEGSMAN: Objection;
11 misstates prior testimony.

12 A Yes, according to the documents
13 from Blade I believe he bought a ten-passenger
14 book.

15 Q Do you know which documents you
16 are referring to?

17 A There are a number of them.
18 Apparently they are created in their accounting
19 program.

20 Q And so do you know why Mr. Berg
21 came to purchase a ten pack of tickets in 2018?

22 A From Blade because Cindy, our
23 agent in the Hamptons, sold our customer list to
24 Blade. They were all targeted to purchase their
25 coupon books from Blade. We know that because

1 A. Collingwood

2 we have seen the list from the Blade documents.

3 Q You don't know if Blade already
4 had the customer information for Mr. Berg, do
5 you?

6 A All of the customer lists went
7 over I believe at the same time.

8 Q You don't know if Blade had
9 Mr. Berg's customer information before 2018, do
10 you, Ms. Collingwood?

11 A Before the end of 2018?

12 Q Before Ms. Herbst provided
13 anything to Blade, do you know if Mr. Berg was
14 listed on Blade's customer list?

15 A I don't know that. I don't know.

16 Q Do you know if any of these
17 persons had booked on Blade before Ms. Herbst
18 gave them --

19 A No, but I know they were Shoreline
20 customers for a number of years.

21 Q It could be that Blade actually
22 already had the customer information for all of
23 these 34 people before Ms. Herbst provided them
24 with anything, correct?

25 A They may or they may not, but we

1 A. Collingwood

2 know on May 7 Cindy sent our customer list to
3 Blade.

4 Q So let's go back to Mr. Berg for a
5 second. Do you know if Mr. Berg purchased a ten
6 packet of tickets because he liked the ability
7 to take a Porsche if his flight was cancelled,
8 was it or for some other reason?

9 A I have no idea.

10 Q Do you have any idea why any of
11 the 34 persons purchased a ten pack of tickets
12 from Blade?

13 A Well, because Cindy gave the
14 customer list to Blade, and then she contacted
15 these people and lied to them about being dumped
16 by Shoreline and so they went with her and
17 Blade.

18 Q Or they might have gone because
19 they liked to have free cocktails before their
20 flight, right?

21 A They could have had free cocktails
22 anyway; Blade would let Shoreline customers have
23 cocktails as well.

24 Q They may have liked other
25 amenities that Blade offered, correct?

1 A. Collingwood

2 MR. KRIEGSMAN: Objection;
3 calls for speculation.

4 MR. SKIBELL: This whole
5 thing calls for speculation. This
6 is pure speculation.

7 MR. KRIEGSMAN: I know that
8 you love to speculate, Reid. You
9 can ask all the questions you
10 want, but I'm going to note all of
11 my objections.

12 MR. SKIBELL: All right,
13 sounds good.

14 Q Ms. Collingwood, this is pure
15 speculation on your part that these persons were
16 contacted by Ms. Herbst, right?

17 A No.

18 Q How do you know that any of those
19 persons listed there were contacted by
20 Ms. Herbst?

21 A Well, we know from Blade
22 documents.

23 Q Which Blade documents are you
24 referring to?

25 A There's a slew of documents from

1 A. Collingwood

2 Blade that indicate that our customer list was
3 given to them by Cindy on May 7 and that they
4 went after these customers. It's in all of the
5 documents. There's a load of them. There's
6 Excel files. There's our list, itself, from
7 Cindy. I mean there's lots of evidence that
8 proves that that's what happened.

9 Q I'm asking, Ms. Collingwood --

10 A There's also e-mails in addition
11 to the documents between Cindy and the customers
12 and Blade and the customers.

13 Q Which of the 34 persons did
14 Ms. Herbst individually e-mail, if any?

15 A Probably most of them. They would
16 have all gotten the letter that she sent out on
17 May 7 after we sent out our letter.

18 Q You are suggesting that these
19 persons were diverted because she sent out a
20 mass e-mail to persons like the March 7 e-mail
21 that we looked at earlier?

22 A March 7? I'm sorry, what happened
23 on March 7?

24 Q I'm trying to understand your
25 testimony. You are claiming that these 34

1 A. Collingwood

2 persons you believe would have received a mass
3 e-mail from Blade; is that right?

4 A No, from Cindy.

5 Q You believe these persons received
6 a mass e-mail from Ms. Herbst?

7 A Yes, that's correct.

8 Q Do you know if any of them were
9 individually contacted by Ms. Herbst?

10 A I'm sure she contacted most of
11 them, but I don't know that for certain.

12 Q Can you identify any here that
13 Ms. Herbst individually contacted?

14 A I'm sure she contacted all of
15 them.

16 Q Can you identify any?

17 A I know that because they didn't
18 come back to Shoreline and because we have Blade
19 documents that prove that is the case.

20 Q Ms. Collingwood, can you identify
21 any one of these 34 persons that was
22 individually contacted by Ms. Herbst?

23 A All of them.

24 Q On what days did she contact these
25 persons?

1 A. Collingwood

2 A She started with May 7.

3 Q Just to be clear, I'm not asking
4 about mass e-mails, I'm asking about individual
5 communications between Ms. Herbst and these
6 persons. Do you know if she individually
7 contacted any of the persons listed in
8 Paragraph 107?

9 A According to the Blade documents,
10 yes, she did.

11 Q You are saying that because she
12 sent a mass e-mail to these persons; is that
13 correct?

14 A No, I'm talking about the Blade
15 documents and subsequent e-mails.

16 Q Can you tell us which subsequent
17 e-mails shows that she individually reached out
18 to persons in 107?

19 A As far as I know, she targeted all
20 of these people.

21 Q Can you identify any documents
22 showing that she reached out to the specific
23 persons in 107 individually?

24 A That is indicated by the Blade
25 documents.

1 A. Collingwood

2 Q Ms. Collingwood, can you tell us
3 which documents you are referring to when you
4 say "the Blade documents"?

5 MR. KRIEGSMAN: Objection;
6 asked and answered several times.
7 Go ahead and answer.

8 A There are loads of them.

9 Q Can you can't tell us any specific
10 ones?

11 A There are accounting sheets, the
12 customer list, itself. There are e-mails
13 between Cindy and the customers, between Cindy
14 and Blade and some of the staff at Blade. They
15 targeted people.

16 Q You are assuming that because
17 these persons stopped booking with you, that
18 they did it because of actions by Ms. Herbst,
19 correct?

20 A That is correct.

21 Q You don't have any specific
22 knowledge why these 34 persons decided to stop
23 booking with Shoreline, do you?

24 A Because Cindy lied to them.

25 Q Do you have any specific knowledge

1 A. Collingwood
2 of why these 34 persons decided to stop working
3 with Shoreline?

4 MR. KRIEGSMAN: Asked and
5 answered.

6 A Isn't this asked and answered?

7 MR. KRIEGSMAN: He didn't
8 like the answer. Asked and
9 answered.

10 MR. SKIBELL: I don't
11 agree.

12 MR. KRIEGSMAN: She gave
13 you an answer.

14 Q Ms. Collingwood, the answer is
15 that you don't know, right? That is the answer?

16 A I didn't say I didn't know.

17 MR. KRIEGSMAN: Objection;
18 misstates prior testimony.

19 Q You don't know why these 34
20 persons stopped booking with you?

21 A That's not what I said.

22 Q How do you know why these 34
23 persons stopped --

24 MR. KRIEGSMAN: Hold on.
25 Objection. You don't get around

1 A. Collingwood
2 asked and answered by yelling at
3 the witness, Mr. Skibell.
4 Objection.

5 MR. SKIBELL: Alex, you are
6 misstating the record on purpose.

7 MR. KRIEGSMAN: We all
8 heard you yell at the witness,
9 Reid.

10 MR. SKIBELL: That is not
11 appropriate, Alex. You know what
12 you are doing.

13 MR. KRIEGSMAN: You know
14 what I'm doing, I'm objecting.

15 Q I will ask you again,
16 Ms. Collingwood. Do you have any specific
17 information as to why these persons decided to
18 stop booking with your company?

19 A I have Blade documents. I have
20 e-mails, and we had phone calls from customers.
21 We have all sorts of evidence that that was
22 going on.

23 Q Have you talked to any of these 34
24 persons?

25 A I don't recall.

1 A. Collingwood

2 Q Did you reach out to any person
3 that you thought was diverted and ask why they
4 stopped booking with Shoreline?

5 A No, we knew why.

6 Q If I understand correctly, at this
7 time in 2018 your husband passed away, correct?

8 A My husband passed away in 2019.

9 Q I apologize. Do you know if these
10 persons decided to stop booking with Shoreline
11 because your husband was no longer with the
12 company?

13 A No, my husband was still with the
14 company.

15 Q How about in 2019, you allege
16 persons stopped booking flights with Shoreline
17 in 2019, correct?

18 A No, in 2018. We are talking about
19 2018.

20 Q I'm going to direct you to
21 Paragraphs 112 and 119. I'm going to ask you a
22 few questions about these. Ms. Collingwood, I
23 want to first direct you to Paragraph 114. Can
24 you explain what is alleged there?

25 A This is about the tactics that

1 A. Collingwood

2 Blade used to prevent our customers from having
3 access to the aircraft in a timely fashion and a
4 whole bunch of other issues that came up.

5 Q Can you summarize what Blade did
6 to sabotage Shoreline's business?

7 A Well, they blocked our signage.
8 On a couple of occasions they diverted one of
9 our passengers to a Blade flight. Their pilots
10 were sitting -- their aircraft was sitting on
11 the dock for periods of time so that our
12 passengers couldn't load or disembark. There
13 were many things that they did to make life
14 difficult.

15 They also plastered all of their
16 advertising all over the dock, which is a public
17 facility and was not supposed to have any
18 advertising on it. I'm not sure how that
19 happened, but anyway, they did a lot of things
20 to sabotage our operation.

21 Q Did that start in 2018?

22 A Yes.

23 Q Did it hurt Shoreline's business
24 in 2019?

25 A Yes.

1 A. Collingwood

2 Q Could it have been responsible for
3 those 34 persons deciding to book with Blade
4 instead of Shoreline?

5 A No, that was long before this
6 stuff started. Not long before, but maybe a
7 month or two.

8 Q A month or two before, I see.
9 Now, with respect to this conduct by Blade, you
10 allege that Ms. Herbst was involved in efforts,
11 for example, to block Shoreline Aviation's
12 advertising?

13 A No, but Cindy did other things
14 that hurt. For instance, having -- they started
15 to book their flights for earlier than 8:00 in
16 the morning. Historically none of the flights
17 were supposed to arrive in the City before
18 8:00 a.m. That was to respect the local
19 residents. You know, these were policies that
20 Cindy knew that she shared with Blade.

21 Q Ms. Collingwood, I'm asking about
22 the efforts you described by Blade to sabotage
23 Shoreline Aviation's business. I'm trying to
24 understand. You allege that Ms. Herbst was
25 involved in these efforts by Blade to sabotage

1 A. Collingwood

2 Shoreline's business?

3 A I think she probably took part in
4 it.

5 Q Can you identify any of this
6 conduct by Blade that you believe Ms. Herbst
7 took part in?

8 A I think she shared a lot of
9 information. We had e-mails from customers
10 stating that this kind of thing was going on. I
11 have no doubt that Cindy was feeding into it.

12 Q Paragraph 116 alleges that
13 "Blade's aircraft would sit on the dock for up
14 to 20 minutes while Shoreline Aviation's planes
15 were in the river." Do you see that?

16 A Yes.

17 Q Do you have any reason to believe
18 that Ms. Herbst had any involvement with how
19 long Blade's aircraft was sitting on the dock?

20 A I think that the information she
21 provided to Blade led to this kind of thing.
22 For instance, Shoreline Aviation had a fabulous
23 record for being on time and it meant a lot to
24 us. I think that if they heard that from Cindy,
25 it could have created a problem for us. I'm

1 A. Collingwood

2 sure there was all sorts of information she
3 shared with them.

4 Q Do you have any information
5 specifically tying Ms. Herbst to how long
6 Blade's aircraft was sitting in that river?

7 A We have e-mails, you know, about
8 some of the conduct.

9 Q The conduct between Paragraphs 112
10 and 119, do you have any information suggesting
11 that that caused any person not to book with
12 Shoreline?

13 A Well, we have some e-mails where,
14 you know, customers were lied to and they got on
15 a Blade flight. I don't know. You know, I know
16 that there were all sorts of shenanigans going
17 on, and I'm sure that Cindy was helping them
18 with that.

19 Q Let's take Paragraph 119. This
20 relates to allegations that there was filming
21 going on. Do you know if this caused any person
22 to not book with Shoreline?

23 A I don't know directly. I just
24 know that it was harassment towards our staff
25 and to the staff at Sound.

1 A. Collingwood

2 Q You don't know any specific
3 persons that would not book a flight with
4 Shoreline because of it, right?

5 A There may be, I have no way of
6 knowing that.

7 Q For 121 it reads, "As a result of
8 defendant's actions, Shoreline Aviation's total
9 commuter revenue for flights in and out of East
10 Hampton Airport decreased approximately 33
11 percent in 2018 and 40 percent in 2019,
12 suffering damages in the amount of \$850,000 in
13 2018 and \$980,000 in 2019." Do you see that,
14 Ms. Collingwood?

15 A Yes, I see it.

16 Q How did you arrive at the number
17 of decreased flights out of East Hampton of 33
18 percent in 2018?

19 A We knew our revenue was down
20 between 2017 and 2018 as a result of
21 Ms. Herbst's actions.

22 Q I'm asking about the number of
23 total commuter revenue down by 33 percent in
24 2018. Is there any financial analysis that
25 shows the 33 percent decrease?

1 A. Collingwood

2 A There are profit and loss
3 statements.

4 Q Those are profit and loss
5 statements for all of Shoreline's business
6 operations?

7 A Well, you are asking specifically
8 about the commuters.

9 Q Is there anything broken out that
10 shows commuter revenue for flights in and out of
11 the East Hampton Airport in your profit and loss
12 statement?

13 A I made this sheet that I'm sure
14 you have (indicating).

15 Q I'm familiar with what you are
16 showing. I can't see what you are showing us.

17 A Can you see that?

18 MR. KRIEGSMAN: It is a
19 document that was produced in
20 discovery that shows "E-paid to
21 Sound Aircraft/Sound Aircraft
22 Flight Enterprises/Cindy Herbst
23 2006, 2018." I think there are
24 two of these. One goes from 2001
25 to 2019 and one is from 2006.

1 A. Collingwood

2 Q You are referring to a document
3 that shows commissions paid to Ms. Herbst; is
4 that correct?

5 A It is showing the number of
6 commuters, the commuter income, the commuter
7 commission, and charter revenue. So, for
8 example, between 2017 when we had 4,131
9 commuters and in 2018 we had 2,679.

10 Q So let's start with 2018. Do you
11 know how the weather was in 2018 compared to
12 2017?

13 A Actually, I have that on
14 spreadsheets. You should have this as well.

15 Q Ms. Herbst, can you tell me what
16 documents you have in front of you today?

17 A I'm not Ms. Herbst.

18 Q Ms. Collingwood, can you tell us
19 what documents you have in front of you today?

20 A These are my husband's Excel
21 analyses that he did for Ms. Herbst every year
22 at the end of the season. There is a section of
23 it, it's not on this particular sheet, but there
24 was a section of the document that records the
25 weather and how many flights or passengers might

1 A. Collingwood

2 have been lost as a result of weather
3 conditions.

4 Q What does that show the difference
5 is between 2017 and 2018?

6 A I don't have the full document
7 with me for 2016. I have that information, but
8 not for 2017 and 2018. I have to fold these up
9 so I can read them.

10 Q Do you know how 2019 compared to
11 prior years?

12 A In terms of commuters there were
13 2,420, so it went down considerably.

14 Q Do you know how the weather in
15 2019 compared to prior years?

16 A I wasn't aware of a whole lot in
17 the summer of 2019.

18 Q With respect to the decrease in
19 revenue, do you know how that impacted your
20 costs?

21 A I'm sorry, I don't understand the
22 question.

23 Q Do you know if your costs went
24 down between 2017 and 2018?

25 A Our costs for what?

1 A. Collingwood

2 Q Your costs for the operation of
3 the business for flights in and out of East
4 Hampton.

5 A Did our costs go down? Our
6 revenue went down. I have no idea about the
7 costs.

8 Q Am I correct that when you stopped
9 working with Ms. Herbst, you no longer paid
10 Ms. Herbst for commissions, correct?

11 A That is correct, but I had --
12 well, I had to hire other people to take her
13 place.

14 Q That meant you made ten percent
15 more by not paying her commission?

16 A Are you talking about the
17 commission in 2018?

18 Q I'm asking about your costs in
19 2018 as compared to 2017. My question to you,
20 Ms. Collingwood, is in 2018 you no longer had to
21 pay a ten percent commission, correct?

22 A We had already paid her a \$65,000
23 commission for which Ms. Herbst didn't do what
24 the terms of her contract were.

25 Q In 2018 and 2019 you no longer had

1 A. Collingwood

2 to pay commission from flights to Ms. Herbst,
3 correct?

4 A That's correct, we had to pay
5 employees instead.

6 Q You allege that Ms. Herbst is
7 responsible for you needing to hire persons?

8 A Yes.

9 Q Can you tell us why Ms. Herbst is
10 responsible for you hiring persons?

11 A Because she didn't fulfill her
12 contractual obligations to us.

13 Q She was required to --

14 A She took the commissions and she
15 did not book the flights or the passengers. She
16 instead lied to them and diverted the customers
17 to Blade.

18 Q I'm asking about the allegation
19 that you had to hire staff. Can you tell us
20 what you did that required you to hire staff?

21 A Well, they had to answer the
22 phone. They had to book the flights, create the
23 manifests. We hired I think there were four
24 different people, one of whom was to work on the
25 dock, something we hadn't had to do before, just

1 A. Collingwood

2 to prevent Blade from trying to solicit our
3 customers. In the document it says that there's
4 \$238,000 to replace the staff.

5 Q Would she be obligated to work for
6 Shoreline forever?

7 A We had an indefinite agreement.
8 Cindy never notified us that she wasn't going to
9 fulfill her obligations to us. She took the
10 commission money.

11 Q I'm not asking about the
12 commission money for the flights she booked.
13 I'm trying to understand the obligation to
14 replace staff. Was Ms. Herbst obligated to work
15 for Shoreline forever?

16 A Well, she had to give us
17 reasonable notice if she wasn't going to, and
18 she never did that.

19 Q What is reasonable notice? How
20 long is that?

21 A Well, I would assume it would be
22 at least a month or more.

23 Q What is that assumption based on?

24 A Just business.

25 Q Did you ever discuss with

1 A. Collingwood

2 Ms. Herbst what you considered to be reasonable
3 notice?

4 A I did not. I don't know what she
5 discussed with my husband.

6 Q If Ms. Herbst had told you on
7 April 1, 2018, that she no longer wanted to work
8 with you, wouldn't you need to have to hire
9 people to replace Ms. Herbst?

10 A If she had informed us --

11 MR. KRIEGSMAN: Objection;
12 calls for speculation. Go ahead
13 and answer.

14 A If she had notified us that she
15 wasn't going to fulfill the terms of her job, we
16 would have had to find a replacement.

17 Q Ms. Herbst wasn't responsible for
18 the replacement of your staff?

19 A She is responsible for having not
20 notified us when she took our customer list and
21 sold it to our competitor.

22 Q If she had given you notice
23 earlier, you would have needed to hire the same
24 people, correct?

25 MR. KRIEGSMAN: Objection;

1 A. Collingwood

2 calls for speculation.

3 A If she had given us notice? Is
4 that what you are asking me?

5 Q Yes, Ms. Collingwood.

6 A If she had given us notice, then
7 we would have had to replace her.

8 Q Going back to 121, am I correct
9 that in 2019 Shoreline started working together
10 with Cape Air?

11 A Yes, that's correct.

12 Q And started using the TakeFlite
13 system to book customers; is that correct?

14 A We started to use the Cape flights
15 right after Cindy left us. That was the summer
16 of 2018.

17 Q Do you know if any of the decrease
18 in revenue between 2017 and 2019 was caused by
19 customers who decided they didn't want to fly
20 with Cape Air?

21 A Well, we were still offering
22 Shoreline Aviation and the same staff was in
23 place.

24 Q Do you know if there were
25 customers that no longer decided to fly with

1 A. Collingwood

2 Shoreline and was then working with Cape Air?

3 A No.

4 Q Do you know if any customers
5 didn't want to book with Shoreline because they
6 didn't like the TakeFlite system?

7 A I don't think that had any impact
8 on the customers.

9 Q Are you familiar with the concept
10 of loads?

11 A Loads?

12 Q Isn't that the amount of flights
13 that are available?

14 A Yes.

15 Q When you have less loads or less
16 flights available, you can fly less people,
17 correct?

18 A Actually, what happened was when
19 Cindy took our customers over to Blade, we ended
20 up flying fewer people on flights just to keep
21 those passengers, just to keep the customers
22 with us. Our minimum had always been four
23 people and we ended up flying with one or two
24 passengers because we had to now compete with
25 Blade and with Cape.

1 A. Collingwood

2 Q My question is about loads. Do
3 you know how Shoreline's load in 2017 compared
4 to 2018?

5 A No, I don't know.

6 Q Do you know how Shoreline's load
7 in 2017 compared to 2019?

8 A No, that's not something that I
9 would have focused on. My husband might have
10 known, but I don't.

11 Q It could be one of the reasons for
12 fewer customer revenues because you were
13 offering fewer flights, right?

14 MR. KRIEGSMAN: Objection;
15 calls for speculation.

16 A I can't answer that.

17 Q Because you don't know the amount
18 of loads?

19 A I don't. I don't know and I'm not
20 going to speculate.

21 Q Am I correct that flying an
22 aircraft is expensive for things like jet fuel;
23 is that right?

24 A Yes, that's right.

25 Q If you are flying less flights,

1 A. Collingwood

2 your costs typically go down as well, right?

3 A Not if you are flying less
4 customers because you don't have them anymore.

5 Q Do you know if you were flying
6 less flights in 2017 as compared to 2018?

7 A I don't think there was a great
8 difference in the number of flights because we
9 were trying to retain people in 2018.

10 Q But you don't have any numbers one
11 way or the other compared to whether you were
12 flying less flights in 2017 compared to 2018?

13 A I don't know, Mr. Skibell.

14 Q How about 2019, do you know if you
15 were flying less flights in 2019 as compared to
16 2017?

17 A I don't know. As I said, I wasn't
18 paying as much attention in 2019.

19 Q It's possible that even though
20 revenue went down, costs could have also gone
21 down, right?

22 MR. KRIEGSMAN: Objection;
23 calls for speculation.

24 A I really can't answer that.

25 MR. SKIBELL: Let's go to

1 A. Collingwood

2 Q And so am I correct that profits
3 are normally revenue minus costs, right?

4 A Usually.

5 Q In this case is Shoreline seeking
6 profits, lost profits?

7 A We are seeking loss of revenue.

8 Q So you are not seeking lost
9 profits at all?

10 MR. KRIEGSMAN: Objection;
11 it calls for a legal conclusion.
12 Answer the question as best as you
13 can.

14 A It consists of 1.35 million from
15 lost revenue from both commuter and charter
16 flights.

17 Q As you sit here today do you know
18 if Shoreline lost any profits from the alleged
19 conduct of Ms. Herbst and the other defendants?

20 A Yes, absolutely.

21 Q Do you know how much lost profits
22 it had?

23 A Not specifically.

24 Q Can you identify any lost profits
25 that it had?

1 A. Collingwood

2 A It's in the documents, but I don't
3 know off the top of my head, no.

4 Q Let's look at another document. I
5 believe this should be Number 15. Are you
6 familiar with an affidavit in this case provided
7 by Camille Murphy?

8 MR. KRIEGSMAN: I'm going
9 to ask you to hold on so I can
10 pull this up as well.

11 Q Ms. Collingwood, are you familiar
12 with the affidavit of Camille Murphy?

13 A I have seen it.

14 Q Do you know who Ms. Murphy is?

15 A Yes.

16 Q Can you tell us who she is?

17 A She was our CPA for over 35 years.

18 Q To your knowledge, did someone ask
19 her to submit this affidavit?

20 MR. KRIEGSMAN: I'm going
21 to instruct the witness not reveal
22 to any communications you may have
23 had with counsel. Without doing
24 that, answer as best as you can.

25 A I'm sorry, I forgot what the